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FAX TRANSMITTAL SHEET

DATE: JULY 25, 2006

NUMBER OF PAGES (INCLUDING
THIS FAX TRANSMITTAL SHEET): 5

LVM REFERENCE: 225593

FROM: JAMES B. MUSKAL

REGISTRATION NO. 22,797

TO: MAIL STOP AF
UNITED STATES PATENT AND TRADEMARK OFFICE
COMMISSIONER FOR PATENTS
ALEXANDRIA, VA 22313

FAX NUMBER: (571) 273-8300

IN RE APPLN. OF: LUBOMYR M. CYMBALISTY
APPLICATION NO. 10/736,485
FILED: DECEMBER 15, 2003
FOR: HYDRODYNAMIC STATIC MIXING APPARATUS FOR USE THEREOF IN
TRANSPORTING, CONDITIONING AND SEPARATING OIL SANDS AND THE
LIKE

ATTORNEY DOCKET: 225593

ATTACHED PLEASE FIND THE FOLLOWING DOCUMENTS:

NOTICE OF APPEAL IN DUPLICATE (4 PAGES)

A confirmation copy of the transmitted document will:

☒ Not be sent. This will be the only form of delivery of the transmitted document.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application No. 10/736,485

Applicant: Lubomyr M. Cymbalisty

Filed: December 15, 2003

TC/AU: 1723

Examiner: SORKIN, David L.

Docket No.: 225593

Customer No.: 23460

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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NOTICE OF APPEAL FROM THE
EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES

Dear Sir:

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision of the Examiner mailed January 25, 2006, rejecting the following claims: 1, 14-15.

1. Pre-Appeal Brief Request for Review

A "Pre-Appeal Brief Request for Review" is ☐ filed concurrently herewith or ☒ is not being filed.

2. Status of Applicants

This application is on behalf of ☐ other than a small entity or ☒ a small entity.

3. Fee for Filing Notice of Appeal

Pursuant to 37 CFR 41.20(b), the fee for filing the Notice of Appeal is for: ☐ other than a small entity or ☒ a small entity.

Notice of Appeal Fee due \$250.00

MAILING/TRANSMISSION CERTIFICATE UNDER 37 CFR 1.8 OR 1.10			
I hereby certify that this document and all accompanying documents are, on the date indicated below, being facsimile transmitted to the U.S. Patent and Trademark Office at fax number: (571) 273-8300.			
Name (Print/Type)	Jasmin Diaz		
Signature	<i>Jasmin Diaz</i>	Date	July 25, 2006

07/26/2006 TL0111 00000007 121216 10736485
01 FC:2401 250.00 DA

Application No. 10/736,485

Notice of Appeal

4. Extension of Time

- ☒ Applicants petition for a three-month extension of time under 37 CFR 1.136, the fee for which is \$510.00.
- ☒ An extension for three-month has already been secured and the fee paid therefore of \$510.00 is deducted from the total fee due for the total amounts of extension now requested.
- ☒ Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Extension fee due with this request: \$ 0.00**5. Total Fee Due**

The total fee due is:

Notice of Appeal Fee	\$ 250.00
Extension Fee (if any)	\$ 0.00

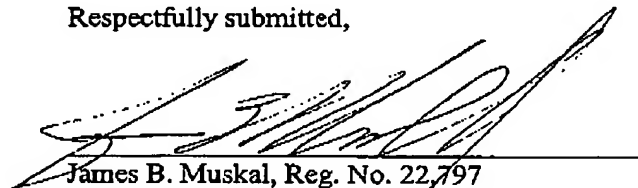
Total Fee Due: \$250.00**6. Fee Payment**

- ☐ Attached is a check in the sum of \$.
- ☒ Charge Account No. 12-1216 the sum of \$250.00. A duplicate of this transmittal is attached.

7. Fee Deficiency

- ☒ If any additional fee is required in connection with this communication, charge Account No. 12-1216. A duplicate of this transmittal is attached.

Respectfully submitted,



James B. Muskal, Reg. No. 22,797
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Date: July 25, 2006

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